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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,515	10/17/2003	John C. Pederson	E30.2B-11315-US01	2011
490	7590	10/10/2006	EXAMINER	
VIDAS, ARRETT & STEINKRAUS, P.A. 6109 BLUE CIRCLE DRIVE SUITE 2000 MINNETONKA, MN 55343-9185			SWARTHOUT, BRENT	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/688,515

Applicant(s)

PEDERSON ET AL.

Examiner

Brent A. Swarthout

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 11-13 is/are rejected.
- 7) ☒ Claim(s) 8-10 and 14-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. 10-2-06.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hall.

Hall discloses a warning signal light comprising a support 22 having a front and a rear, a plurality of light emitting diodes 16 engaged to the front and rear for receiving power from source 28, and control means (col. 6, line 6) to produce two different warning light signals in one combination consisting of flashing and rotational beacon sequencing (col. 7, lines 55-61), except for specifically stating that the control means is a controller or that the warning light is in a light bar.

Since Hall teaches that any combination of circuit boards and housings can be used (col. 8, lines 20-25), choosing to use devices as disclosed by Hall in a light bar arrangement would have been an obvious manner of intended use.

Use of a controller as the control means would have been obvious to one of ordinary skill in the art, since controllers are well-known control means for controlling light output in an efficient, accurate manner.

Regarding claim 2, Hall teaches use of circuit board 22 (col. 7, lines 23-40) and internal enclosure 24 (Fig. 2).

2. Claims 3, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hall in view of Lau.

Lau discloses a light bar assembly with opposite ends and respective cap assemblies ((Fig. 11).

It would have been obvious to use end cap assemblies in conjunction with an LED light device as disclosed by Hall, if it was desired to use the LED assembly as an elongated bar for vehicular use where it would have been necessary to seal both ends to protect from climatic conditions.

Regarding claims 11 and 13, choosing to use quadrant assemblies or spreader assemblies would have been obvious, merely depending on construction requirements as to how the assembly would best fit to the LED assembly, and choosing to have assemblies comprise spreaders would have been obvious merely depending on whether or not LED assemblies went all the way to the end of the light bar assembly device.

3. Claims 4-5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hall in view of Lau and Jankowski et al.

Jankowski discloses desirability of using LED assemblies 13 having housing 23, support 19, cover 31 and light pipe 28 (Fig. 3).

It would have been obvious to utilize a light pipe assembly as suggested by Jankowski in conjunction with a LED assembly as disclosed by Hall and Lau, in order to provide a more directed illumination.

Regarding claim 7, Lau discloses use of light spreader 54.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hall in view of Lau, Jankowski et al. and Phillips.

Phillips teaches desirability of including LED assembly with couplers 46, and pockets to engage the LEDs (col. 5, lines 58-67; Fig. 6).

It would have been obvious to use pockets with couplers as suggested by Phillips in conjunction with an LED assembly as disclosed by Hall, Lau and Jankowski in order to provide a secure fitting for LEDs to prevent movement or dislodging.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hall in view of Lau and Bader et al.

Bader discloses use of a conventional vehicular light source in end cap assemblies of a light bar system, the system being either angled or linear (col. 6, line 32).

It would have been obvious to utilize a conventional light, such as a well-known halogen light in an end cap of a light bar, in a system as set forth by Hall and Lau, in order to be able to provide use as alley lights for police vehicles (col. 8, lines 20-28).

6. Claims 8-10,14-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


7. Regarding applicant's remarks filed with the response on 9-15-06, remarks regarding use of the Vukosic reference are convincing as to why current application predates reference and rejection in view of Vukosic has been withdrawn.

Remarks regarding use of Lau reference are not convincing, since no indication has been given as to where the claimed features taught by Lau are shown in the document on which priority is based.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Horabik, can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Brent A Swarthout
Art Unit 2636

**BRENT A. SWARTHOUT
PRIMARY EXAMINER**